

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUL 20 2004

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

IN RE RIVER PARK SQUARE  
PROJECT BOND LITIGATION.

NO. CS-01-0127-EFS

ORDER GRANTING AGIC'S MOTION  
FOR ORDER OF DISMISSAL

This matter came before the Court on Asset Guaranty Insurance Company's ("AGIC") Motion for Order of Dismissal pursuant to Fed. R. Civ. P. 41(a)(2), (Ct. Rec. 1898). The Court considered AGIC's motion and Prudential's Response to Plaintiffs' Motions and Orders of Dismissal. Accordingly,

**IT IS HEREBY ORDERED:**

1. Intervenor-Plaintiff's Motion for Order of Dismissal (Ct. Rec. 1898) is **GRANTED**. All claims asserted by AGIC against defendants Prudential Equity Group, LLC, the Spokane Downtown Foundation, Preston Gates & Ellis, LLP, Citizens Realty Company, Lincoln Investment Company of Spokane, River Park Square, LLC, RPS II, LLC, RWR Management, Inc., d/b/a R.W. Robideaux and Co., City of Spokane, and the Spokane Parking Public Development Authority, are, as a result of the release of such claims procured by the city of Spokane, hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2).

2. The effect of this dismissal is the subject of disagreement among the parties and remains to be determined through motion practice. However, rulings and orders of the Court that preceded this Order of Dismissal are not extinguished by the entry of it unless the Court rules otherwise upon motion of any party.

IT IS SO ORDERED.

The District Court Executive is directed to enter this Order and to furnish copies to all counsel.

DATED this 2 day of July 2004.

*D. H. Lee*

EDWARD F. SHEA  
United States District Judge

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